

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Clarence Frank Bennett, David J. Ecker and Phillip
Dan Cook

Group Art Unit: Unknown

Examiner: Unknown

For: COMPOSITIONS AND METHODS FOR
THE PULMONARY DELIVERY OF
NUCLEIC ACIDS

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

☒ Utility Patent ☐ Design Patent

is sought on the invention, whose title appears above, the specification of which:

☐ is attached hereto.
☒ was filed on May 20, 1999 as Serial No. 09/315,292.
☐ said application having been amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any **foreign application(s)** for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Priority Claimed (If X'd)	Country	Serial Number	Date Filed
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
<u>09/083,586</u>	<u>May 21, 1998</u>	<u>Pending</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed
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I hereby appoint the following persons of the firm of **WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP**, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103 as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Michael P. Straher Reg. No. 38,325

John W. Caldwell Reg. No. 28,937

AND

Herb Boswell	Reg. No. 27,311
Laurel Bernstein	Reg. No. 37,280
Henry Wu	Reg. No. 44,412

of **ISIS Pharmaceuticals, Inc.**, 2292 Faraday Avenue, Carlsbad, California 92008.

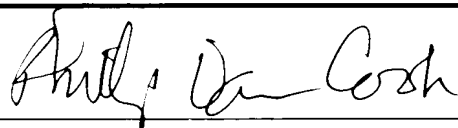
Address all telephone calls and correspondence to the first-listed attorney of record at:

**WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP**
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone No.: **(215) 568-3100**
Facsimile No.: **(215) 568-3439**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Clarence Frank Bennett	<u>C. Frank Bennett</u> Signature
Mailing Address: 1347 Cassins Street, Carlsbad, California 92009	Date of Signature: <u>6/23/99</u> Citizenship: <u>U.S.</u>
City/State of Actual Residence: Carlsbad, California	

Name David J. Ecker	<u>David J. Ecker</u> Signature
Mailing Address: 1041 Saxony Road, Encinitas, California 92024	Date of Signature: <u>6/29/99</u> Citizenship: <u>U.S.</u>
City/State of Actual Residence: Encinitas, California 92024	

Name Phillip Dan Cook	 Signature
<i>PDL</i> Mailing Address: 1155 La Casa, Lake San Marcos, California 92069 5237 Olive Hill Road FAIRBROOK, CA 92028	Date of Signature: <u>2/22/99</u> Citizenship: <u>U.S.</u>
City/State of Actual Residence: Lake San Marcos, California 92069	

SEP 22 1999

DOCKET NO.: ISIS-3561

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Bennett et al.

Serial No.: 09/315,292

Group No.: 1635

Filed: May 20, 1999

Examiner: Not Assigned

For: **Compositions and Methods for the Pulmonary Delivery of Nucleic Acids**

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

ASSOCIATE POWER OF ATTORNEY

The undersigned, Michael P. Straher, Registration No. 38,325, of the firm WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103, Attorney and/or Agent for Applicant(s), hereby appoints the following:

Robert B. Washburn	Registration No. 16,574
Richard E. Kurtz	Registration No. 19,263
John J. Mackiewicz	Registration No. 19,709
Norman L. Norris	Registration No. 24,196
Albert W. Preston, Jr.	Registration No. 25,366
Dale M. Heist	Registration No. 28,425
Philip S. Johnson	Registration No. 27,200
John W. Caldwell	Registration No. 28,937
Gary H. Levin	Registration No. 28,734
Steven J. Rocci	Registration No. 30,489
Dianne B. Elderkin	Registration No. 28,598
Francis A. Paintin	Registration No. 19,386
John P. Donohue, Jr.	Registration No. 29,916
Henrik D. Parker	Registration No. 31,863
Suzanne E. Miller	Registration No. 32,279
Lynn B. Morreale	Registration No. 32,842
Mark DeLuca	Registration No. 33,229
Joseph Lucci	Registration No. 33,307
Michael P. Dunnam	Registration No. 32,611

Michael D. Stein	Registration No. 34,734
Albert J. Marcellino	Registration No. 34,664
David R. Bailey	Registration No. 35,057
Barbara L. Mullin	Registration No. 38,250
Lynn A. Malinoski	Registration No. 38,788
Lori Y. Beardell	Registration No. 34,293
Doreen Yatko Trujillo	Registration No. 35,719
Paul K. Legaard	Registration No. 38,534
Kevin M. Flannery	Registration No. 35,871
David A. Cherry	Registration No. 35,099
Anthony J. Rossi	Registration No. 24,053
Michael J. Swope	Registration No. 38,041
Michael J. Bonella	Registration No. 41,628
Harold H. Fullmer	Registration No. 42,560
William R. Richter	Registration No. 43,879
John E. McGlynn	Registration No. 42,863
Kimberly R. Hild	Registration No. 39,224
Lawrence A. Aaronson	Registration No. 38,369
Jonathan M. Waldman	Registration No. 40,861
Chad Ziegler	Registration No. 44,273
David N. Farsiou	Registration No. 44,104
Maureen Gibbons	Registration No. 44,121
Steven H. Meyer	Registration No. 37,189
John M. Paolino	Registration No. 40,340
Joseph R. Condo	Registration No. 42,431
Michael K. Jones	Registration No. 41,100
Frank T. Carroll	Registration No. 42,392
Hans J. Crosby	Registration No. P44,634
Rena Patel	Registration No. 41,412
Mark J. Rosen	Registration No. 39,822
Mitchell R. Brustein	Registration No. 38,394
Peter M. Ullman	Registration No. 43,963
Thomas E. Watson	Registration No. 43,243
Gregory L. Hillyer	Registration No. 44,154
Maria M. Kourtakis	Registration No. 41,126

and

Herb Boswell	Registration No. 27,311
Laurel Bernstein	Registration No. 37,280
Edward D. Robinson	Registration No. 43,049
Robert S. Andrews	Registration No. P44,508

of **ISIS PHARMACEUTICALS**, 2292 Faraday Avenue, Carlsbad, California 92008; his associates, with full power to prosecute the above-identified application and to transact all business in the Patent Office connected therewith and requests that

correspondence continue to be directed to the firm of WOODCOCK
WASHBURN KURTZ MACKIEWICZ & NORRIS LLP at the above address.

Date: September 3, 1999

Michael P. Straher
Attorney of Record
Registration No. 38,325

WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
(215) 568-3100